

Rec'd PCT/PTO 17 MAY 2002

#4

Attorney's Docket No. MSB-7268-PCT-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gabi Friedrich, et al.

Serial No.: 10/018,386

Filed: December 13, 2001

Title: Methods for Modulating Angiogenesis by using the Anti-Angiogenic Angiotensin-7 and Polynucleotides encoding Therefor

Box PCT, Commissioner for Patents, Washington, D.C. 20231

Dear Sir or Madam:

Applicants hereby petition for one (1) month extension of time to respond to the letter dated March 7, 2002, a copy of which is enclosed. The original period for response was set to expire on May 7, 2002. According to this extension, the new term for response will expire on June 7, 2002.

Applicants herewith submit a Declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

Applicants also state that the initial paper copy of the Sequence Listing and the computer readable form of the Sequence Listing, both submitted to the USPTO on December 13, 2001, are identical and include no new matter.

Respectfully submitted,

May 17, 2002
Date

Melissa A. Shaw

Melissa A. Shaw
Attorney for Applicant
Reg. No. 38,301
Phone: (510) 705-7901

CERTIFICATE OF MAILING

I hereby certify that this correspondence and any papers referred to as being enclosed, are being deposited, on the date shown below, with the United States Postal Service, as Express Mail Label No. EV 064144546 US in an envelope addressed to the U.S. patent and Trademark Office, Washington, D.C. 20231.

May 17, 2002
Date

Luajuana LeGrande
Luajuana LeGrande

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
MSB-7268/PCT-US

In Re Application Of:

Gabi Friedrich, et al.

Serial No.	Filing Date	Examiner	Group Art Unit
10/018,386	06/30/2000	Unassigned	Unassigned

Invention:

**Methods for Modulating Angiogenesis by Using the Anti-Angiogenic Angiotensis
Polynucleotides Encoding Therefor**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts PCT

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
03/07/2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Return Post Card

Extension of time

07/00/2002 BCAMPBEL1000000002 034000 10010386
Sale Ref: 00000002 DA # 034000

10018386

01 EC:115 110.00CH

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)

Docket No.
MSB-7268/PCT-US

In Re Application Of:

Gabi Friedrich, et al.

Serial No.
10/018,386

Filing Date
06/30/2000

Examiner
Unassigned

Group Art Unit
Unassigned

Invention:

Methods for Modulating Angiogenesis by Using the Anti-Angiogenic Angiotensin Polynucleotides Encoding Therefor

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

- ☒ Completion of application fees as calculated below:

- ☐
- Utility application filing fee

- ☐
- Design application filing fee

- ☐ Total number of independent claims =

- ☐ Total number of claims =

- ☐ Multiple dependent claims

- | | |
|---|-----------------|
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | \$130.00 |
|---|-----------------|

- ☐ Petition and fee for filing by other than all the inventors or a person not the inventor

- ☐ Fee for processing an application filed with a non-English language specification

- ☐ Fee for processing and retention of application

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

- ☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: May 7, 2002 until: June 7, 2002
Date Date

Total time extension fees	\$110.00
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Total fees due \$240.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
MSB-7268/PCT-US

In Re Application Of:
Gabi Friedrich, et al.

Serial No.
10/018,386

Filing Date
06/30/2000

Examiner
Unassigned

Group Art Unit
Unassigned

Invention: .

.Methods for Modulating Angiogenesis by Using the Anti-Angiogenic Angiotensis
Polynucleotides Encoding Therefor

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of **\$130.00** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 03-4000
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 03-4000
A duplicate copy of this sheet is enclosed.

Melissa A Shaw

Signature

Dated: *May 17, 2002*

Melissa A. Shaw
Reg. No. 38,301
Bayer Corporation
800 Dwight Way, P. O. Box 1986
Berkeley, California 94701

I certify that this document and fee is being deposited on *5-17-2002* with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Luajuana LeGrande

Signature of Person Mailing Correspondence

Luajuana LeGrande

Typed or Printed Name of Person Mailing Correspondence

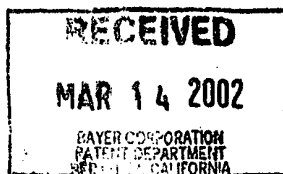
cc:



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box P.O.
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/018,386	FIRST NAMED APPLICANT Bayer AG	ATTY. DOCKET NO. MSB-7268
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 Melissa A Shaw
 Bayer Corporation
 800 Dwight Way
 PO Box 1986
 Berkeley, CA 94701


INTERNATIONAL APPLICATION NO. PCT/US00/18170	
I.A. FILING DATE 06/30/2000	PRIORITY DATE 07/02/1999

 CONFIRMATION NO. 7895
 371 FORMALITIES LETTER

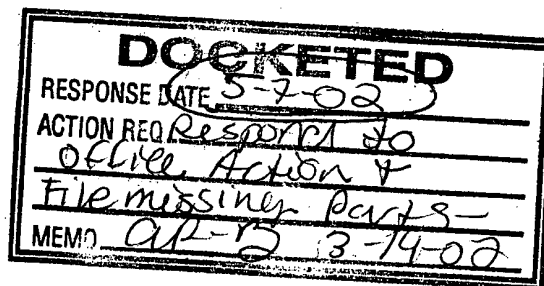

OC00000007587249

Date Mailed: 03/07/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

need start re SL

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- (Statement Only)*
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - APPLICANT MUST PROVIDE:
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

05/17/2002 SHAJARRD 00000003 034000 10018386

01 FC:154 130.00 CH

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,386	PCT/US00/18170	MSB-7268